

FILED

NOV 21 2007
Nov. 21, 2007
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JH

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

REGINA THOMAS,
Plaintiffs,

v.

UNKNOWN CHICAGO POLICE
OFFICERS, DET. BRIAN JOHNSON,
STAR #20948, and THE CITY OF
CHICAGO.
Defendants.

) 07CV6596
) JUDGE COAR
)
) MAG.JUDGE SCHENKIER
)
) Jury Demand
)
)
)
)

COMPLAINT

COUNT I - ILLEGAL SEARCH

JURISDICTION AND VENUE

1. This Court has jurisdiction based on 28 U.S.C. §§1331 and 1343(a) because the case raises federal constitutional issues.

2. The Court has supplementary jurisdiction over substantially related state claims based on 28 U.S.C. 1367(a).

3. This is an appropriate venue because all of the alleged acts occurred within the Northern District of Illinois and all of the parties reside within the Northern District of Illinois.

4. This action is brought pursuant to 42 U.S.C. §1983 for violations of Plaintiff's

constitutional rights under the Fourth Amendment as incorporated and applied to state governments through the Fourteenth Amendment to the United States Constitution.

PARTIES

5. Plaintiff is a citizen of the United States and resident of Chicago, Illinois.

6. Unknown Chicago Police officers and Det. Brian Johnson were on duty and acting under color of state law at all times relevant to this Complaint.

7. The City of Chicago is a municipality organized under the laws of the State of Illinois and it is the employer of the unknown Chicago Police officers and Det. Brian Johnson.

THE FOURTH AMENDMENT VIOLATION

8. On March 10, 2007, Plaintiff was in her residence at 8008 S. Escanaba Ave., Chicago, IL.

9. The Defendants did not have a search warrant for the Plaintiff or the Plaintiff's residence on March 10, 2007.

10. The Defendants did not have an arrest warrant for the Plaintiff on March 10, 2007.

11. The Defendants did not witness the Plaintiff breaking any city, county, state, and/or federal law at 8008 S. Escanaba Ave., Chicago, IL on March 10, 2007.

12. The Defendants did not have consent to search the Plaintiff or her residence on March 10, 2007.

13. On March 10, 2007, the Defendants forcibly and illegally entered the Plaintiff's residence.

14. The Defendants proceeded to verbally threaten and curse at the Plaintiff.

15. The Defendants displayed their weapons and proceeded to search Plaintiff's residence while the Plaintiff protested their presence and ordered them to leave.

16. The Defendant officers detained the Plaintiff in violation of Plaintiff's rights under the Fourth Amendment.

17. As a direct and proximate result of the unconstitutional detention, the Plaintiff suffered actual harm.

WHEREFORE, Plaintiff prays this Court will award her actual and punitive damages as well as costs and reasonable attorney's fees against the defendants.

COUNT II - STATUTORY INDEMNIFICATION

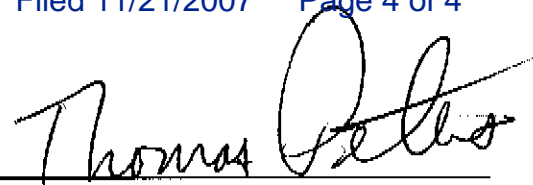
1-17. Plaintiff re-alleges paragraphs 1-17 of Counts I as paragraphs 1-17 of Count II.

18. At all relevant times 745 ILCS 10/9-102 was in full force and effect.

19. The defendant officers were acting under color of state law and as employees of the City of Chicago.

WHEREFORE, Plaintiff prays the Court will award her actual damages and costs against the City of Chicago.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Peters", is written over a horizontal line.

THOMAS PETERS

KEVIN PETERS

Attorneys for Plaintiff

407 S. Dearborn, Suite 1675

Chicago, Illinois 60605

312-697-0022